



HEALTH AFFAIRS



# HIPAA Complaints

HIPAA Training: 2005 Summer Sessions

TMA Privacy Office

*This document contains proprietary information and will be handled within Government regulations.  
It is intended solely for the use and information of the Military Health System.*

# HIPAA Complaints

## Agenda

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- Background of HIPAA Complaints
- Types of Complaints
- Complaint Process

# Training Objectives

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- Upon completion of this course, you will be able to:
  - Describe the background of HIPAA complaints
  - Identify the types of complaints
  - Understand how a complaint is processed

# **Background of HIPAA Complaints**

## Background of HIPAA Complaints

# Objectives

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- Upon completion of this lesson, you will be able to:
  - Identify who has the right to complain and why
  - Determine what is/is not a HIPAA complaint
  - Understand role as patient's advocate
  - Explain role of Office of Civil Rights (OCR) in Health and Human Services (HHS) for HIPAA Privacy compliance
  - Maintain necessary communication of complaints

## Background of HIPAA Complaints

# Right to Complain

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- All beneficiaries have the right to complain if they believe their privacy rights have been violated or if they feel the covered entity has failed to meet its responsibilities (C14.4)
  - These rights, according to the Notice of Privacy Practices (NoPP), include:
    - Right to Inspect and Copy
    - Right to Request Restrictions
    - Right to Request Confidential Communications
    - Right to Request Amendment
    - Right to an Accounting of Disclosures
    - Right to Obtain a Copy of the NoPP

## Background of HIPAA Complaints

# What is/is Not a Valid Complaint (1 of 6)

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- Most beneficiaries do not understand what constitutes a valid HIPAA Complaint under the rule
- Privacy Officer will need to read and analyze the complaint to determine if it is a valid HIPAA Complaint
- Things to look for:
  - Beneficiary provided information
  - Pursuant to an Authorization
  - Protected Health Information (PHI) correctly used or disclosed as part of Treatment, Payment, and Health Care Operations (TPO)
  - PHI released based on 14 Uses and Disclosures, was disclosure recorded
  - Determine if complaint is HIPAA based or based on other privacy laws

## Background of HIPAA Complaints

# What is/is Not a Valid Complaint (2 of 6)

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- Beneficiary provided information
  - If a beneficiary provides the information to another individual or department outside of the Covered Entity (CE), the information is no longer PHI as it was not in the possession of the covered entity
- Pursuant to an Authorization
  - If PHI was released per an authorization from the beneficiary, then the basis for a HIPAA violation is no longer valid as the covered entity complied with the beneficiary request



# What is/is Not a Valid Complaint (3 of 6)

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- PHI used or disclosed as part of Treatment Payment, and Health Care Operations (TPO)
  - If the PHI was used or disclosed in a manner that meets the definition of TPO then the CE performed their duty per HIPAA
- Treatment:
  - “Treatment” generally means the provision, coordination, or management of health care and related services among health care providers or by a health care provider with a third party, consultation between health care providers regarding a patient, or the referral of a patient from one health care provider to another

# What is/is Not a Valid Complaint (4 of 6)

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- Payment:
  - “Payment” encompasses the various activities of health care providers to obtain payment or be reimbursed for their services and of a health plan to obtain premiums, to fulfill their coverage responsibilities and provide benefits under the plan, and to obtain or provide reimbursement for the provision of health care
- Healthcare Operations:
  - “Healthcare operations” are certain administrative, financial, legal, and quality improvement activities of a covered entity that are necessary to run its business and to support the core functions of treatment and payment
- Ensure that PHI disclosed met the minimum necessary requirement

# What is/is Not a Valid Complaint (5 of 6)

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- PHI released based on 14 Uses and Disclosures
  - If the PHI was released pursuant to one of the 14 uses and disclosure where beneficiary agreement or objection is not required, the CE must ensure disclosure was recorded, and that PHI provided met minimum necessary requirement

1. **As required by law**
2. **Avert serious threats to health or safety**
3. **Specialized government functions/ military provisions**
4. **Judicial and administrative proceedings**
5. **Medical facility patient directories**
6. **Cadaver organ, eye or tissue donation purposes**
7. **Victims of abuse, neglect or domestic violence**
8. **Inmates in correctional institutions or in custody**
9. **Workers' compensation**
10. **Research purposes**
11. **Public health activities**
12. **Health oversight activities**
13. **About decedents**
14. **Law enforcement purposes**

# What is/is Not a Valid Complaint (6 of 6)

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- Determine if it is a HIPAA complaint or based on other privacy laws
  - Many times complaints filed as HIPAA complaints are grievances under another privacy law
  - Review each complaint to determine if a Privacy Act, Freedom of Information Act (FOIA) or other Privacy statute applies
  - If the problem is not HIPAA based, direct the complainant to the appropriate office

## Background of HIPAA Complaints

# Patient Advocacy

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- Privacy Officers should act as the patient's advocate
- Consider the patient's perception, even if complaint is not valid
  - If problem is with another area, direct patient to correct Point of Contact (POC)
  - If no HIPAA violation has occurred, explain facts surrounding the circumstance to the patient
  - Never ignore a patient's concerns

*The mission of the MHS is to deliver health care services to our beneficiaries*

*The mission of the TMA Privacy Office is to ensure the confidentiality of PHI*

## Background of HIPAA Complaints

# Role of HHS/OCR

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- The Office for Civil Rights in the Department of Health and Human Services is the federally designated agency for the enforcement of HIPAA Privacy
- OCR/HHS has the authority to inspect any Covered Entity (CE) in the process of investigating a HIPAA Privacy complaint
- Complaints related to all other HIPAA Rules are administered through the Center for Medicare/Medicaid Services (CMS)

# Communication of Complaints

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- Each MTF must have policies and procedures for addressing and resolving complaints
- Whenever possible complaints should be addressed at the local level
- TMA recommends MTFs report to their Service Representatives monthly on complaint statistics
  - HHS complaints
  - Beneficiary complaints
  - Staff and organization complaints
- TMA proposes that the Services provide aggregate complaint reports at a frequency to be determined

# Background of HIPAA Complaints

## Summary

---

- You should now be able to:
  - Identify who has the right to complain and why
  - Determine what is/is not a HIPAA complaint
  - Understand role as patient's advocate
  - Explain role of Office of Civil Rights (OCR) in Health and Human Services (HHS) for HIPAA Privacy compliance
  - Maintain necessary communication of complaints



# **Types of Complaints**

## Types of Complaints

# Objectives

---

- Upon completion of this lesson, you will be able to:
  - Identify complaints based on a violation of patient rights
  - Determine the difference between types of disclosures

## Types of Complaints

# Violation of Patient Rights

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- Some of the most common complaints are based on the beneficiary's understanding of their rights as outlined in the NoPP:
- Examples of Violations of Patient Rights:
  - Denying the beneficiary access to their record to inspect and copy
  - Releasing data from a record that has had a restriction placed on it
  - Contacting a beneficiary at their primary phone number or address when they have requested to be contacted at an alternate location
  - Denying a request for amendment without providing cause
  - Providing an incomplete accounting of disclosure
  - Not providing a copy of the NoPP when requested

## Types of Complaints

# Types of Disclosures (1 of 2)

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- Many complaints are based on what the beneficiary feels was an inappropriate disclosure
- There are three types of disclosures that often result in complaints:
  - Incidental
  - Accidental
  - Malicious Intent

# Types of Disclosures (2 of 2)

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- Incidental – Disclosures that occur during the course of routine business that are unavoidable
  - Calling patient's name in the waiting room
- Accidental – Disclosures that occur due to an error
  - Misdialing a fax number and causing PHI to be sent to the wrong individual
- Malicious Intent – Disclosures that were intended and malicious in nature. PHI that is taken for a wrongful purpose
  - Taking PHI for purpose of identity theft

# Types of Complaints

## Summary

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- You should now be able to:
  - Identify complaints based on a violation of patient rights
  - Determine the difference between types of disclosures

# **Complaint Process**

# Complaint Process

## Objectives

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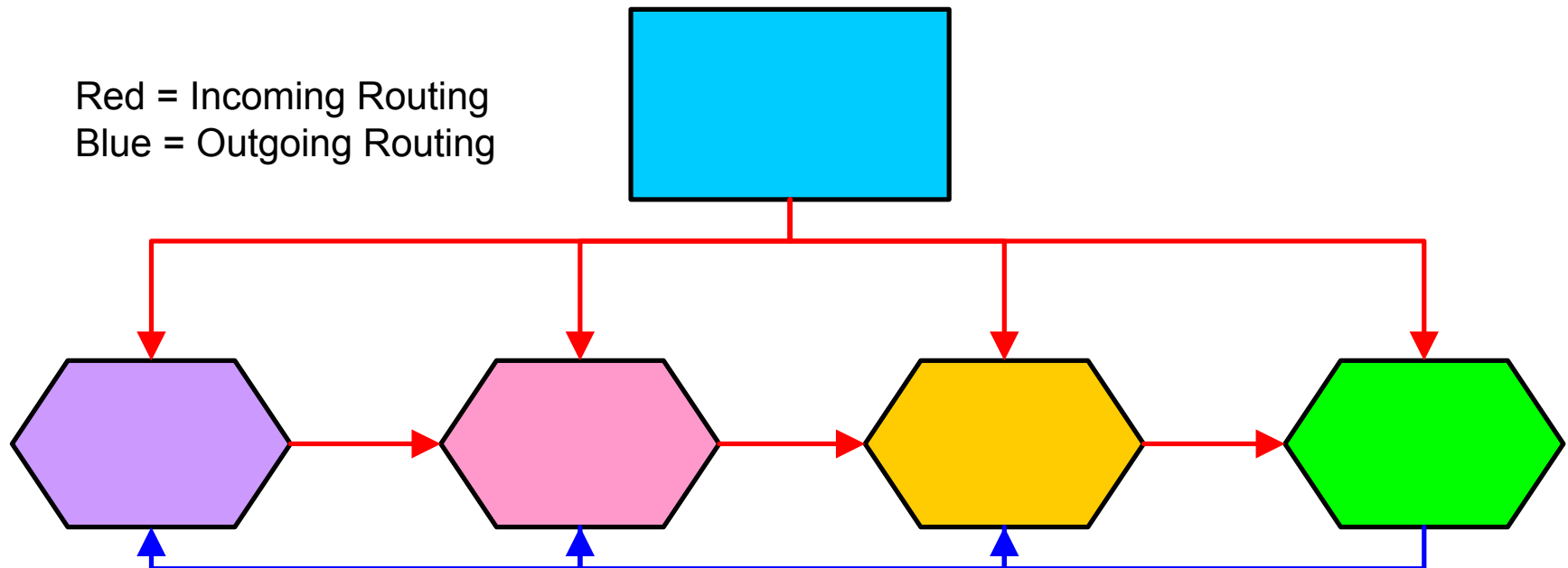
- Upon completion of this lesson, you will be able to:
  - Understand the ways a complaint can be routed to a MTF
  - Identify the responsibilities of the investigating officer
  - Understand the investigation process
  - Identify the reporting process
  - Explain the timeframe of a complaint
  - Enter a complaint in the Protected Health Information Management Tool (PHIMT)



## Complaint Process

# Routing to Facility

- HIPAA gives patients the right to send their complaint to many levels:
  - HHS/CMS
  - TMA Privacy Office
  - MTF



# Responsibilities of Investigating Officer

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- Privacy/Security Officer at the MTF will ensure an Investigating Officer (IO) is appointed
- IO is responsible for:
  - Collecting and verifying all information related to the complaint
  - Ensuring documentation is retained in accordance with HIPAA and local policy
  - Meeting investigation timelines
  - Responding to all necessary parties
  - Documenting findings of facts, opinions and recommendations
  - Briefing commander
- Commanders have the responsibility to take appropriate action based on the recommendations of the IO

# Investigation Process (1 of 2)

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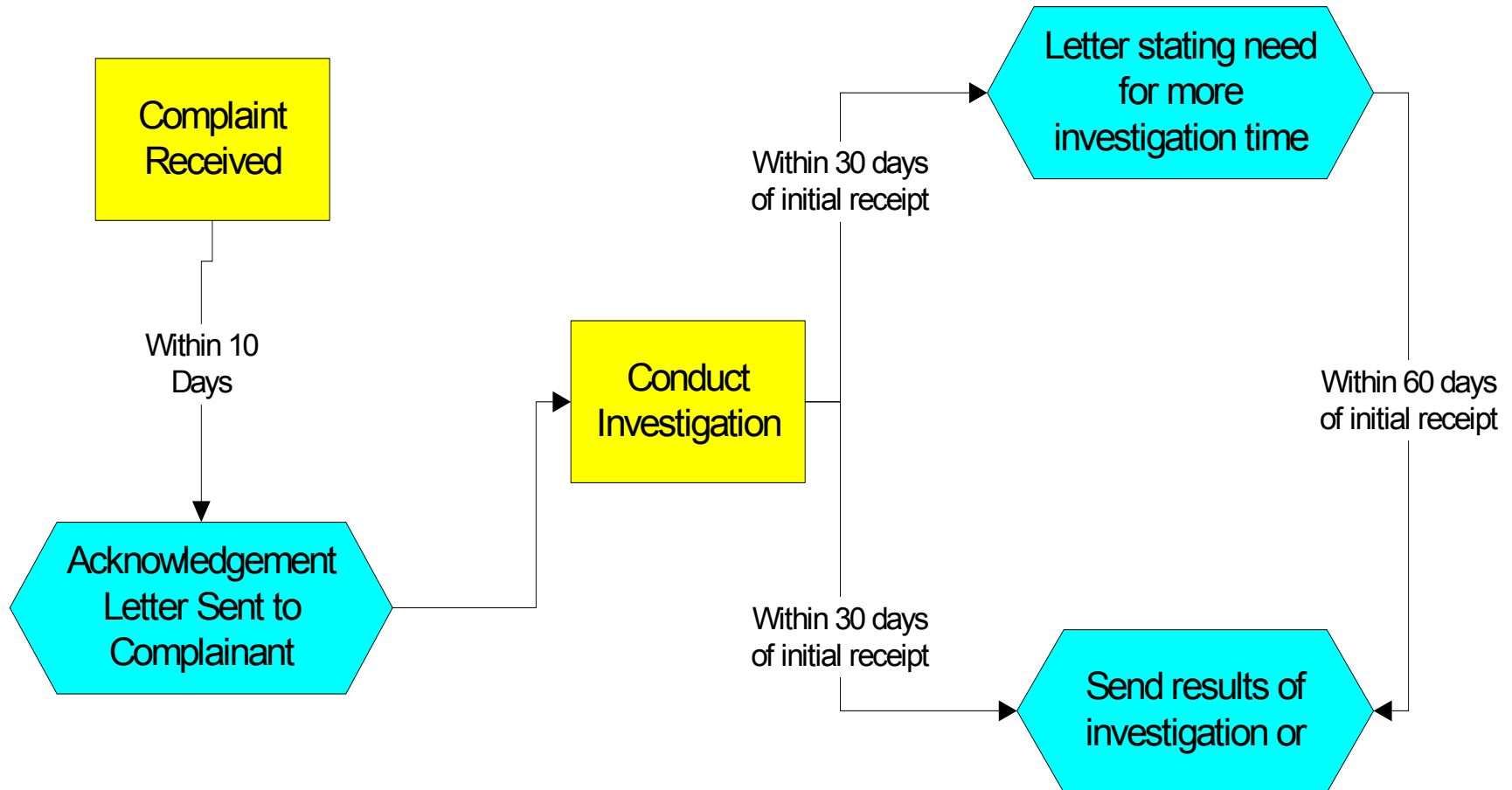
- The IO will:
  - Determine if incident is in violation according to MTF/Service/DoD policies
  - Determine if policies were available to all workforce members involved
  - Interview all involved parties
  - Verify training status in the Learning Management System of personnel involved in the complaint
  - Check PHIMT to ensure disclosure recorded if complaint is related to disclosure

# Investigation Process (2 of 2)

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- The IO will (cont'd):
  - Consult with legal counsel as needed
  - Consult with Privacy/Security Officer as needed
  - Determine if a violation occurred
  - Determine complaint validity

# TMA's Recommended Timeframe of a Complaint



## Complaint Process

# Service Responses

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- Beneficiary complaint received at MTF:
  - Handled at Service level
- TMA routed complaint:
  - Instructions for response will be provided in forwarding letter
- HHS routed complaint:
  - All Service responses are to be routed via TMA Privacy Office for endorsement to HHS
  - Responses to complaining party will be determined on a case by case basis

## Complaint Process

# Content of Response Letter

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- Beneficiary complaint received at MTF:
  - A written response by MTF including the high level details of the investigation must be sent to the complainant for all complaints
  - If the complaint is proven to be a valid HIPAA complaint, include any corrective actions and mitigation steps that were taken
  - If the complaint is not a valid HIPAA complaint, provide explanation and resources for redirection
  - TMA developing periodic reporting requirements
- TMA routed complaint:
  - Instructions for response will be provided in forwarding letter
- HHS routed complaint:
  - Each response requirement will be determined on a case by case basis

## Complaint Process

# Entry into the PHIMT

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- Privacy/Security Officers are able to track complaints and create reports using the PHIMT
- Allows for easy tracking and documentation of complaints in one centrally managed application
- Only Privacy Specialists can record complaints
- Both Privacy Specialists and User Admins can run a report on the number of complaints recorded



## Complaint Process

# Recording the Complaint (1 of 8)

### 1. Click on the Requests Tab



The screenshot displays the New Governance system interface. At the top, the date 'Monday, August 8, 2005' is shown on the left, and 'Patient Search' and 'Logoff' links are on the right. Below the date bar is a navigation menu with five tabs: 'Patient', 'User', 'Admin', 'Requests', and 'Requester'. A red arrow points to the 'Requests' tab, which is currently selected. On the left side of the page, there is a sidebar with the following content: 'Current User: Wilson, Leah Primary Training Organization', a list of links ('My Profile', 'My Requests', 'My Worklist'), and a 'Switch organizations' link. The main content area is titled 'User Worklist' and contains a table with the following columns: 'Activity Instance ID', 'Request Session ID', 'Activity ID', 'Source', 'Patient', 'Requester', 'Status', and 'Creation Date'. Below the table, a message states 'There are no activities on your worklist'. At the bottom of the page, the copyright notice 'Copyright © New Governance, Inc. 2000-2004, ALL RIGHTS RESERVED' and the version information 'Version: 2.27 build [ 0918 ]' are displayed.

Monday, August 8, 2005 [Patient Search](#) [Logoff](#)

[Patient](#) [User](#) [Admin](#) [Requests](#) [Requester](#)

**Current User:**  
Wilson, Leah  
Primary Training  
Organization

[My Profile](#)  
[My Requests](#)  
[My Worklist](#)

[Switch organizations](#)

### User Worklist

Activity Instance ID	Request Session ID	Activity ID	Source	Patient	Requester	Status	Creation Date
There are no activities on your worklist							

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Version: 2.27 build [ 0918 ]

## Complaint Process

# Recording the Complaint (2 of 8)

- The Create New Request Screen will appear
2. Click the Complaint radio button
  3. Click on the Next button

Monday, August 8, 2005 [Patient Search](#) [Logoff](#)

Patient User Admin Requests Requester

Current Request: None

**Create New Request**

Select Request Type

☒ Complaint

☐ Disclosure

☐ Disclosure Accounting

Next

## Complaint Process

# Recording the Complaint (3 of 8)

- The Select Complainant screen will appear
4. Search for the patient (FMP-SSSN or the Patient's name)
  5. Click on the Search button

Monday, August 8, 2005 [Patient Search](#) [Logoff](#)

**Patient** User Admin Requests Requester

**Current Request:**  
Complaint

■ Create New Request  
■ Search for a Request

**Select Complainant** Complaint Details Documents Request Action

① ② ③ ④

### Patient Search

FMP-SSSN (Family Member Prefix and Sponsor SSN (in xx-xxx-xx-xxxx format))

-  -  -

- OR -

by Name/State (Last) (First) (State)

Smith , Betty / -

- OR -

by System ID (the identifier created by this system for the person)

## Complaint Process

# Recording the Complaint (4 of 8)

- The Patient Search Results screen will appear

### 6. Select the patient

Monday, August 8, 2005 Patient Search Logoff

**Patient** User Admin Requests Requester

**Current Request: Complaint**

Create New Request  
Search for a Request

Select Complainant Complaint Details Documents Request Action

① ② ③ ④

### Patient Search Results

Search Results ( sorted by birth date )

ID	Name	SSN	Birth Date	Address
61	Smith, Betty	222222222	1975-07-03	1125 West Pleasant View Dr. Ogden, UT 98277

☐ Select

Other options:  
[Adjust your search criteria and try again.](#)  
[Create a new Patient record.](#)

## Complaint Process

# Recording the Complaint (5 of 8)

- The Complaint Details screen will appear
7. Complete the complaint details (complaint type, complaint date, subject, complaint description)

Monday, August 8, 2005 [Patient Search](#) [Logoff](#)

Patient User Admin Requests Requester

Current Request: Complaint

Select Complainant Complaint Details Documents Request Action

① ② ③ ④

Create New Request  
Search for a Request

### Complaint Details

Complainant (the person who is making the complaint)  
Name: Betty Smith

Complaint Type (the type of complaint to create)  
Notice of Privacy Practices Complaint

Complaint Date (the date the complaint was received in MM/DD/YYYY format)  
08/08/2005

Subject (the subject of the complaint)  
Request for copy of medical record

Complaint Description (the description of the complaint - limited to 1020 characters)  
The medical record contained information belonging to another beneficiary. Betsy Smith's information was in Betty Smith's record. Betty Smith is concerned that her information could also be misplaced.

## Complaint Process

# Recording the Complaint (6 of 8)

8. Scroll to the bottom of the screen and click on the Next button


**Complaint Description** *(the description of the complaint - limited to 1020 characters)*

The medical record contained information belonging to another beneficiary. Betsy Smith's information was in Betty Smith's record. Betty Smith is concerned that her information could also be misplaced.


**Outcome Type** *(the type of outcome after complaint investigation)*

Not Selected

**Outcome Date** *(the date of the complaint outcome in MM/DD/YYYY format)*



**Outcome Description** *(the description of the complaint outcome - limited to 1020 characters)*



## Complaint Process

# Recording the Complaint (7 of 8)

9. Type in the Document Title
10. Click on the browse button to attach the file
11. Click on the Next button

Monday, August 8, 2005 [Patient Search](#) [Logout](#)

**Current Request:**  
Complaint

[Create New Request](#)  
[Search for a Request](#)

**Documents**

You may attach any document, with file size not exceeding 2M

**FILE 1: Document Title** *(enter this document's title)*

Complaint Form

Please select a file you wish to attach

C:\Documents and Settings\514708\Desktop\Complaint form.doc [Browse...](#)

**FILE 2: Document Title** *(enter this document's title)*

Please select a file you wish to attach

[Browse...](#)

**FILE 3: Document Title** *(enter this document's title)*

Please select a file you wish to attach

[Browse...](#)

[Back](#) [Next](#)

## Complaint Process

# Recording the Complaint (8 of 8)

- The Request Action screen will appear
12. Select the appropriate action from the drop-down box
  13. Click on the Save button

Monday, August 8, 2005 [Patient Search](#) [Logoff](#)

**Current Request:** Complaint

**Request Action**

**Patient**  
Name: Betty Smith  
SSN #: 222222222  
Birth Date: 07-03-1975  
Address: 1125 West Pleasant View Dr., Ogden, UT 98277

**Details of the Request** (requester's comments about the scope of this request)  
The medical record contained information belonging to another beneficiary. Betsy Smith's information was in Betty Smith's record. Betty Smith is concerned that her information could also be misplaced.

**Approved Part** (for partially approved requests, describe part of request that was approved)

**Denied Part** (for partially denied requests, describe part of request that was denied)

**Action** (action for this request)  
Route to My Worklist

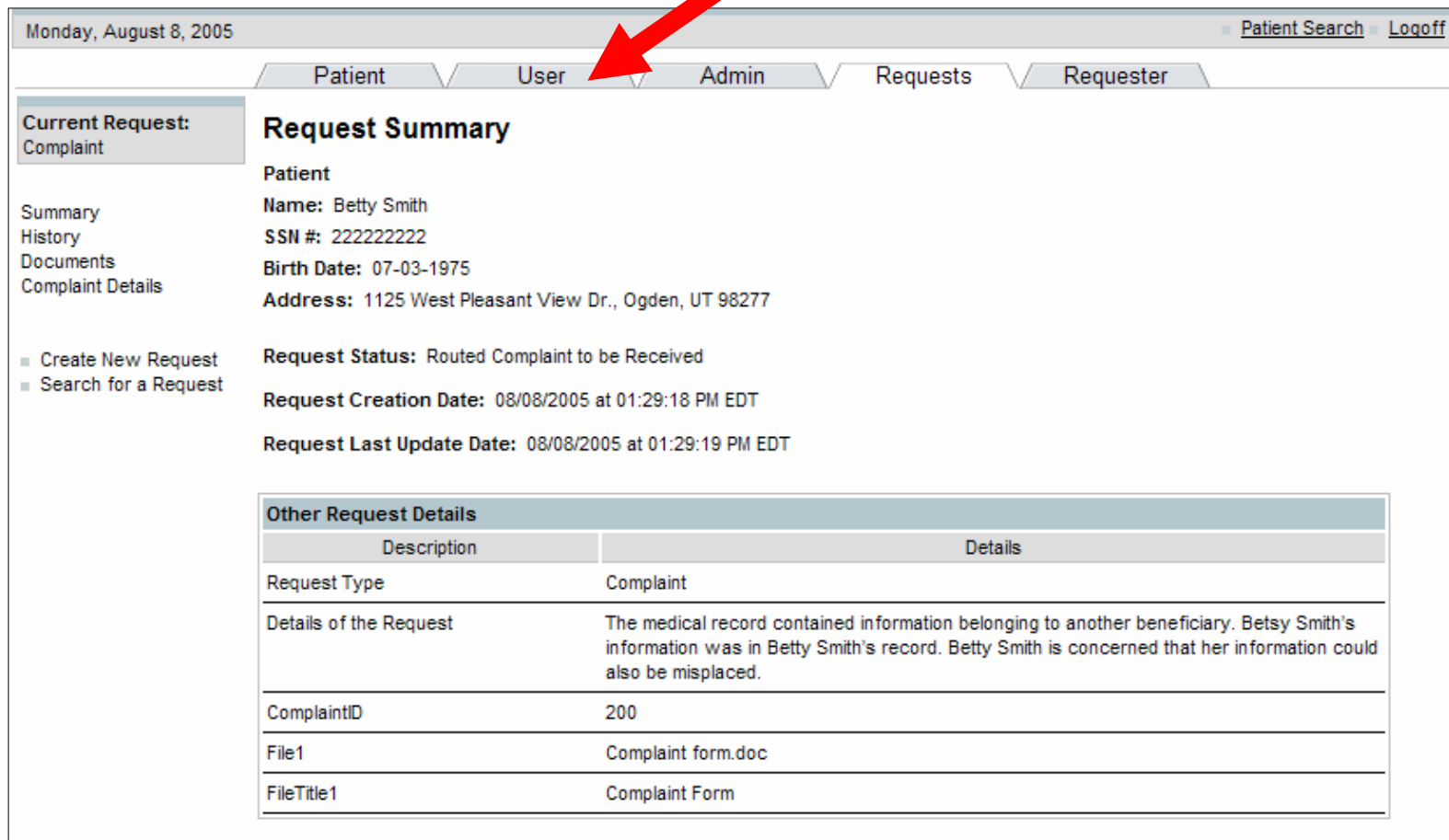


## Complaint Process

# Receiving the Complaint (1 of 5)

- The Request Summary Screen will display

### 1. Select the User Tab



Monday, August 8, 2005 [Patient Search](#) [Logoff](#)

**Patient** **User** **Admin** **Requests** **Requester**

**Current Request:**  
Complaint

Summary  
History  
Documents  
Complaint Details

☐ Create New Request  
☐ Search for a Request

### Request Summary

**Patient**  
**Name:** Betty Smith  
**SSN #:** 222222222  
**Birth Date:** 07-03-1975  
**Address:** 1125 West Pleasant View Dr., Ogden, UT 98277

**Request Status:** Routed Complaint to be Received  
**Request Creation Date:** 08/08/2005 at 01:29:18 PM EDT  
**Request Last Update Date:** 08/08/2005 at 01:29:19 PM EDT

Other Request Details	
Description	Details
Request Type	Complaint
Details of the Request	The medical record contained information belonging to another beneficiary. Betsy Smith's information was in Betty Smith's record. Betty Smith is concerned that her information could also be misplaced.
ComplaintID	200
File1	Complaint form.doc
FileTitle1	Complaint Form

## Complaint Process

# Receiving the Complaint (2 of 5)

- The complaint will appear in the User Worklist
2. Select the [Edit](#) hyperlink

Monday, August 8, 2005 [Patient Search](#) [Logoff](#)

[Patient](#) [User](#) [Admin](#) [Requests](#) [Requester](#)

**Current User:**  
Wilson, Leah  
Primary Training  
Organization

[My Profile](#)  
[My Requests](#)  
[My Worklist](#)

[Switch organizations](#)

### User Worklist

User Worklist								
	Activity Instance ID	Request Session ID	Activity ID	Source	Patient	Requester	Status	Creation Date
<a href="#">edit</a>	755	537	Complaint to be Received		Smith, Betty		Action Pending	08/08/2005

## Complaint Process

# Receiving the Complaint (3 of 5)

- The Edit Activity Details screen will appear
3. Select Received from the Activity Status drop-down box
  4. Click on the Update button

Monday, August 8, 2005 [Patient Search](#) [Logoff](#)

[Patient](#) [User](#) [Admin](#) [Requests](#) [Requester](#)

**Current Request:**  
Complaint

Summary  
History  
Documents  
Complaint Details

☐ Create New Request  
☐ Search for a Request

### Edit Activity Details

**Patient**  
**Name:** Betty Smith  
**SSN #:** 222222222  
**Birth Date:** 07-03-1975  
**Address:** 1125 West Pleasant View Dr., Ogden, UT 98277

**Instructions**  
Complaint to be Received

**Activity Status** (new activity status code )  
Received

**Comments** (enter details about this activity)

Request Session Details	
Description	Details
Request Type	Complaint

## Complaint Process

# Receiving the Complaint (4 of 5)

- The Edit Request screen will appear
5. Select the [Complaint-Received Letter](#) hyperlink in the Letters and Attached Documents field

Monday, August 8, 2005 [Patient Search](#) [Logout](#)

[Patient](#) [User](#) [Admin](#) [Requests](#) [Requester](#)

**Current Request:**  
Complaint

Summary  
History  
Documents  
Complaint Details

☐ Create New Request  
☐ Search for a Request

### Edit Request

#### Request Activity History

Activity Instance ID	Request Session ID	Activity ID	Source	Patient Id	Requester Id	User	Status	Creation Date
<a href="#">756</a>	537	Complaint Investigation		Smith, Betty		Leah Wilson	Action Pending	08/08/2005
<a href="#">755</a>	537	Complaint to be Received		Smith, Betty		Leah Wilson	Received	08/08/2005

#### Request Session Details

Description	Details
Request Type	Complaint
Details of the Request	The medical record contained information belonging to another beneficiary. Betsy Smith's information was in Betty Smith's record. Betty Smith is concerned that her information could also be misplaced.
ComplaintID	200
File1	Complaint form.doc
FileTitle1	Complaint Form

#### Letters and Attached Documents


ID	Date	Title
753	08/08/2005	<a href="#">Complaint - Received Letter</a>
752	08/08/2005	<a href="#">Complaint Form</a>

## Complaint Process

# Receiving the Complaint (5 of 5)

- The Complaint Received letter is generated

Bookmarks  
Layers  
Pages



DEPARTMENT OF THE NAVY  
Primary Training Organization  
Skyline Pl.  
Falls Church, VA 20110

08 Aug 05

Betty Smith  
1125 West Pleasant View Dr.  
Ogden, UT 98277

Dear Betty Smith,

Your Health Information Complaint Form, dated 08/08/2005 has been received by the Privacy Office. I will investigate your complaint and determine any further action.

During the investigation, you may be contacted for more information. You will be notified within 30 days of the status of your complaint.

If you have any questions please contact the Primary Training Organization, Skyline Pl., Falls Church, VA 20110, .

## Complaint Process

# Updating the Complaint (1 of 7)

1. Select the User Tab
2. Select the Edit hyperlink



Monday, August 8, 2005 [Patient Search](#) [Logoff](#)

[Patient](#) **User** [Admin](#) [Requests](#) [Requester](#)

**Current User:**  
Wilson, Leah  
Primary Training  
Organization

[My Profile](#)  
[My Requests](#)  
[My Worklist](#)

[Switch organizations](#)

### User Worklist

	Activity Instance ID	Request Session ID	Activity ID	Source	Patient	Requester	Status	Creation Date
<a href="#">edit</a>	756	537	Complaint Investigation		Smith, Betty		Action Pending	08/08/2005

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Version: 2.27 build [ 0918 ]

## Complaint Process

# Updating the Complaint (2 of 7)

3. Select Completed from the Activity Status drop-down box
4. Click on the Update button

Monday, August 8, 2005 [Patient Search](#) [Logoff](#)

[Patient](#) [User](#) [Admin](#) [Requests](#) [Requester](#)

**Current Request:**  
Complaint

Summary  
History  
Documents  
Complaint Details

[Create New Request](#)  
[Search for a Request](#)

### Edit Activity Details

**Patient**  
**Name:** Betty Smith  
**SSN #:** 222222222  
**Birth Date:** 07-03-1975  
**Address:** 1125 West Pleasant View Dr., Ogden, UT 98277

**Instructions**  
Complaint Investigation

**Activity Status** (new activity status code )  
Completed

**Comments** (enter details about this activity)

[Update](#)

### Request Session Details

Description	Details
Request Type	Complaint
Details of the Request	The medical record contained information belonging to another beneficiary. Betsy Smith's information was in Betty Smith's record. Betty Smith is concerned that her information could also be misplaced.

## Complaint Process

# Updating the Complaint (3 of 7)

- The Complaint Details screen will appear
5. Complete the Complaint Details (type, date, and description)
  6. Click on the Update button

**Complaint Description** *(the description of the complaint - limited to 1020 characters)*

The medical record contained information belonging to another beneficiary. Betsy Smith's information was in Betty Smith's record. Betty Smith is concerned that her information could also be misplaced.

**Outcome Type** *(the type of outcome after complaint investigation)*

Substantiated

**Outcome Date** *(the date of the complaint outcome in MM/DD/YYYY format)*

08/08/2005

**Outcome Description** *(the description of the complaint outcome - limited to 1020 characters)*

The complaint was found to be validated. Information was misfiled by the personnel and medical records department. They have been retrained on HIPAA and counseled. Policies were reviewed and strengthened.

Update



## Complaint Process

# Updating the Complaint (4 of 7)

7. Select Completed from the Activity Status drop-down box
8. Click on the Update button

Monday, August 8, 2005 [Patient Search](#) [Logoff](#)

[Patient](#) [User](#) [Admin](#) [Requests](#) [Requester](#)

**Current Request: Complaint**

Summary  
History  
Documents  
Complaint Details

☐ Create New Request  
☐ Search for a Request

### Edit Activity Details

**Patient**  
**Name:** Betty Smith  
**SSN #:** 222222222  
**Birth Date:** 07-03-1975  
**Address:** 1125 West Pleasant View Dr., Ogden, UT 98277

**Instructions**  
Complaint Investigation

**Activity Status** (new activity status code )  
Completed

**Comments** (enter details about this activity)

Update

### Request Session Details

Description	Details
Request Type	Complaint

## Complaint Process

# Updating the Complaint (5 of 7)

- The Edit Request screen will display
9. Select the Substantiated Complaint Letter hyperlink

Monday, August 8, 2005 [Patient Search](#) [Logoff](#)

[Patient](#) [User](#) [Admin](#) [Requests](#) [Requester](#)

**Current Request:**  
Complaint

Summary  
History  
Documents  
Complaint Details

[Create New Request](#)  
[Search for a Request](#)

### Edit Request

Request Activity History								
Activity Instance ID	Request Session ID	Activity ID	Source	Patient Id	Requester Id	User	Status	Creation Date
<a href="#">756</a>	537	Complaint Investigation		Smith, Betty		Leah Wilson	Completed	08/08/2005
<a href="#">755</a>	537	Complaint to be Received		Smith, Betty		Leah Wilson	Received	08/08/2005

#### Request Session Details

[Edit](#)

Description	Details
Request Type	Complaint
Details of the Request	The medical record contained information belonging to another beneficiary. Betsy Smith's information was in Betty Smith's record. Betty Smith is concerned that her information could also be misplaced.
ComplaintID	200
File1	Complaint form.doc
FileTitle1	Complaint Form

#### Letters and Attached Documents

[Attach](#)

ID	Date	Title
754	08/08/2005	<a href="#">Substantiated Complaint Letter</a>
753	08/08/2005	<a href="#">Complaint - Received Letter</a>
752	08/08/2005	<a href="#">Complaint Form</a>

## Complaint Process


# Updating the Complaint (6 of 7)

- The Substantiated Complaint Letter is generated

Bookmarks

Layers

Pages



Falls Church, VA 20110

08 Aug 05

Betty Smith  
1125 West Pleasant View Dr.  
Ogden, UT 98277

Dear Betty Smith,

The investigation of your Health Information Privacy Complaint, regarding Request for copy of medical record, is now complete.

The allegations within your complaint are substantiated. As a result of your complaint, the following actions will take place:

The complaint was found to be validated. Information was misfiled by the personnel and medical records department. They have been retrained on HIPAA and counseled. Policies were reviewed and strengthened.

If you have any questions, please contact Primary Training Organization, Skyline Pl., Falls Church, VA 20110, .

## Complaint Process

# Updating the Complaint (7 of 7)

- The complaint activity will no longer appear in the User Worklist

Monday, August 8, 2005 [Patient Search](#) [Logoff](#)

[Patient](#) [User](#) [Admin](#) [Requests](#) [Requester](#)

**Current User:**  
Wilson, Leah  
Primary Training  
Organization

[My Profile](#)  
[My Requests](#)  
[My Worklist](#)

[Switch organizations](#)

### User Worklist

Activity Instance ID	Request Session ID	Activity ID	Source	Patient	Requester	Status	Creation Date
There are no activities on your worklist							

# Complaint Process

## Summary

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- You should now be able to:
  - Understand the ways a complaint can be routed to a MTF
  - Identify the responsibilities of the Investigating Officer
  - Understand the investigation process
  - Identify the reporting process
  - Explain the timeframe of a complaint
  - Enter a complaint in the Protected Health Information Management Tool (PHIMT)

# HIPAA Complaints Summary

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- You should now be able to:
  - Describe the background of HIPAA complaints
  - Identify the types of complaints
  - Understand how a complaint is processed

# Resources

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- DoD 6025.18-R, “DoD Health Information Privacy Regulation”, January 2003
- [www.tricare.osd.mil/tmaprivacy/HIPAA.cfm](http://www.tricare.osd.mil/tmaprivacy/HIPAA.cfm)
- [privacymail@tma.osd.mil](mailto:privacymail@tma.osd.mil) for subject matter questions
- [hipaasupport@tma.osd.mil](mailto:hipaasupport@tma.osd.mil) for tool related questions\
- <http://www.tricare.osd.mil/tmaprivacy/Mailing-List.cfm> to subscribe to the TMA Privacy Office E-News
- Service HIPAA Privacy Representatives



HEALTH AFFAIRS



# Please fill out your critique

## *Thanks!*

